

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

**EXHIBIT
1**

HAROLD G. ROBY,

Plaintiff,

vs.

CIVIL ACTION NO.: 1:22CV79-GHD-DAS

LaCOSTA, INC.,

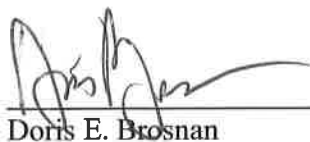
Defendant.

AFFIDAVIT OF DORIS E. BROSNAN

STATE OF WISCONSIN)
) ss.
MILWAUKEE COUNTY)

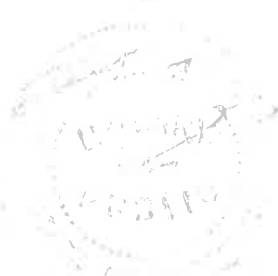
Doris E. Brosnan, being first duly sworn on oath, deposes and says:

1. I am one of the attorneys for the Defendant, LaCosta, Inc. and make this affidavit on its behalf.
2. That attached hereto and marked as Exhibit 1 is a true and correct copy of the EEOC Charge of Discrimination, Charge No. 490-2021-00004 filed by Harold Roby on October 20, 2022.
3. That attached hereto and marked as Exhibit 2 is a true and correct copy of the Dismissal and Notice of Rights issued by the EEOC electronically on January 28, 2022.


Doris E. Brosnan

Subscribed and sworn to before me
this 23rd day of August, 2022.


Notary Public, State of Wisconsin
My Commission permanent.



EEOC Form 5 (11/09)

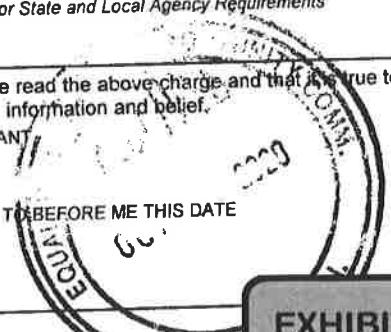
CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC		Agency(ies) Charge No(s): 490-2021-00004	
and EEOC					
State or local Agency, if any					
Name (indicate Mr., Ms., Mrs.) Mr. Harold G. Roby			Home Phone (Incl. Area Code) (504) 605-8537		Date of Birth 1963
Street Address 611 Scale Street, Corinth, MS 38834					
City, State and ZIP Code					
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)					
Name LACOSTA			No. Employees, Members 15 - 100		Phone No. (Include Area Code) (662) 287-8011
Street Address 3461 County Road 100, Corinth, MS 38834					
City, State and ZIP Code					
Name 			No. Employees, Members 		Phone No. (Include Area Code)
Street Address 					
City, State and ZIP Code					
DISCRIMINATION BASED ON (Check appropriate box(es).) <input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)				DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 08-11-2020 08-11-2020 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)). I was hired as a Floater by a temporary agency and worked through a client company. During my employment, I experienced continual racial harassment and discrimination. New White hires were transferred from the Lay Table to other areas of the plant while I was not. I was injured on the job and had to pay out of pocket to see a doctor while a White co worker was sent to urgent care. Due to a faulty door, my uniform was ripped at work. I was told to tape my uniform together and keep working while a White co worker was allowed to go home and change. A Black co worker complained to me about the racism she was receiving in her department and felt she had no option but to resign. I was forced to take a urinalysis to see if I was under the influence of any illegal substances after the incident in order to keep my employment while other White employees have failed their drug screening and remained employed. I was subsequently terminated for for alleged damage to the door. In addition, a policy required safety meeting was ot held prior to my discharge and I passed my urinaylsis. I believe I have been discriminated and terminated due to my race (Black) in violation of Title VII of the Civil Rights Act of 1964, as amended.					
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.			NOTARY - When necessary for State and Local Agency Requirements		
I declare under penalty of perjury that the above is true and correct.			I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT		
Date 10/20/2020			SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)		
Charging Party Signature Harold G. Roby					

EXHIBIT
1



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Memphis District Office
1407 Union Avenue, 9th Floor
(901) 544-0119
Website: www.eeoc.gov

DISMISSAL AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161 & 161-A)

To: Mr. Harold G. Roby
611 Scale Street
Corinth, MS 38834

Re: Mr. Harold G. Roby v. LACOSTA
EEOC Charge Number: 490-2021-00004

EEOC Representative and email: Vurtis McDowell
Investigator
Vurtis.McDowell@eeoc.gov

DISMISSAL OF CHARGE

The EEOC has granted your request for a Notice of Right to Sue, and more than 180 days have passed since the filing of this charge. The EEOC is terminating its processing of this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

Please retain this notice for your records.

On Behalf of the Commission:

Digitally Signed By: Edmond Sims
01/28/2022

Edmond Sims
Acting District Director

CC:

EXHIBIT

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**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

(This information relates to filing suit in Federal or State court under Federal law. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)

IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you receive this Notice**. Receipt generally means the date when you (or your representative) opened this email or mail. You should **keep a record of the date you received this notice**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to <https://www.eeoc.gov/employees/lawsuit.cfm>.

ATTORNEY REPRESENTATION

For information about locating an attorney to represent you, go to:
<https://www.eeoc.gov/employees/lawsuit.cfm>.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

HOW TO REQUEST YOUR CHARGE FILE AND 90-DAY TIME LIMIT FOR REQUESTS

There are two ways to request a charge file: 1) a FOIA Request or 2) a Section 83 request. You may request your charge file under either or both procedures. EEOC can generally respond to Section 83 requests more promptly than FOIA requests.

Since a lawsuit must be filed within 90 days of this notice, please submit your request for the charge file promptly to allow sufficient time for EEOC to respond and for your review. Submit a signed written request stating it is a "FOIA Request" or a "Section 83 Request" for Charge Number 490-2021-00004 to the Acting District Director at Edmond Sims, 1407 Union Avenue 9th Floor

Memphis, TN 38104. You can also make a FOIA request online at <https://eeoc.arkcase.com/foia/portal/login>.

You may request the charge file up to 90 days after receiving this Notice of Right to Sue. After the 90 days have passed, you may request the charge file only if you have filed a lawsuit in court and provide a copy of the court complaint to EEOC.

For more information on submitting FOIA Requests and Section 83 Requests, go to: <https://www.eeoc.gov/eeoc/foia/index.cfm>.